WP(C) 1581/2007

BEFORE

HON’BLE JUSTICE RANJAN GOGOI

The petitioner who was settled with the Boha Sand Mohal for the year 2006-2008 challenges the order dated 20.3.2007 by which a permit for extraction of sand from the Kolong River as granted by the Divisional Forest Officer, Kamrup East Division, has been extended upto 19.4.2007. The aforesaid grievance raised and the challenge made is on the basis that the permit holder by virtue of the permit and extension granted by the D.F.O., Kamrup East Division, has been extracting sand from the Mohal of the petitioner.

On instructions received, Sri R. K. Bora, learned Govt. Advocate, Assam, has submitted that the area of the Boha Sand Mohal and the area of operation of the permit granted by the D.F.O., Kamrup East Division are entirely different and if there is any encroachment on the area of the petitioner’s Mohal by the permit holder the proper course of action for the petitioner is to inform the concerned authorities who, in such case, will definitely look into the matter.

In view of the above, I dispose of the writ petition by permitting the petitioner to raise his grievances before the concerned authorities i.e. the D.F.O., Nagaon Division i.e. the settling authority of the petitioner and the D.F.O., Kamrup East Division which had granted the permit in question. Once the petitioner makes an approach to the said authorities, the concerned authorities will deal with the matter in accordance with law and with utmost expedition to ensure that the petitioner has every opportunity to operate the Mohal leased out to him without any hindrance or obstruction.

This will dispose of the writ petition.